



CHILD SUPPORT 101

by Texas Attorney General Ken Paxton

THE CHILD SUPPORT DIVISION OF THE OFFICE of the Attorney General (OAG) assists parents in obtaining the financial support necessary for children to grow up and succeed in life. To help make this happen, the OAG works with families throughout Texas so they can benefit from child support services.

To encourage parental responsibility, the OAG establishes paternity of children, establishes court orders for financial and medical support, and enforces support orders. The OAG also promotes the involvement of both parents in the life of the child by working with community groups, schools and hospitals. The OAG wants to make sure all Texans know that the Child Support Division can help them obtain financial and medical support for their children.

What does the child support program do?

The Child Support Division provides the following services, depending upon the circumstances:

- locating absent parents
- establishing paternity
- establishing, enforcing and modifying child and medical support orders
- collecting and distributing child support payments.

Who can apply for child support services?

To help parents collect child support, the Child Support Division accepts applications from mothers, fathers and other individuals who request services.

Where do people apply for child support services with the Office of the

Attorney General?

Applications can be obtained by visiting Child Support Interactive on the main Attorney General website at www.texasattorneygeneral.gov, or by calling the 24-hour voice response system at (800) 252-8014. Applications can also be completed online using Child Support Interactive. Parents who receive financial assistance through the Texas Health and Human Services Commission automatically receive child support services.

How long before payments begin?

Obtaining child support involves a wide variety of factors, making it difficult to predict the time required to secure payments on individual cases. For example, one case may require the full range of services — locating the absent parent, establishing paternity and a support order, and enforcing the order. Another case may have a divorce decree with an established order, a Social Security number, and an employer for the noncustodial parent, allowing enforcement of payment through an administrative income withholding order.

How can child support be changed?

Only the court can modify the child support order. It cannot be done by agreement of the parties. Grounds for a modification include a material and substantial change in the circumstances of a child or a person affected by the order, or the passage of three years since the last child support order and a difference in monthly payment by either 20 percent or

\$100 from the child support guidelines. A parent subject to a child support order may request a review of the ordered child support amounts every three years by contacting the Office of the Attorney General.

How is paternity established?

Paternity may be voluntarily established by agreement of both the mother and the father of the child. The parents can sign an Acknowledgement of Paternity (AOP), which becomes a legal finding of paternity when it is filed with the Texas Vital Statistics Unit. If the mother or alleged father is not sure about the paternity of the child, neither should sign an AOP. Paternity should be established through the courts.

Where can parents complete the AOP form?

An AOP form can be completed by a certified entity, such as a local birth registrar or child support office. Parents completing an AOP form through a child support office are not required to open a child support case. Information on local certified entities and information about establishing paternity is available toll-free at (866) 255-2006.

Can a parent take custody of the child instead of making child support payments?

Both parents must provide for the child, no matter which parent has primary custody. Child support is normally paid to the custodial parent for the benefit of the child. Legal custody can be changed, but only if the parents go to court to modify the previous child support order and establish a child support amount for the

new noncustodial parent.

Does the Office of the Attorney General handle custody and visitation disputes?

Although federal regulations do not allow the Office of the Attorney General to use child support funding for custody and visitation related matters, the office helps parents who are engaged in custody or visitation disputes by partnering with local organizations to provide access and visitation services, including co-parenting education, alternative dispute resolution, development of parenting plans, supervised visitation and visitation enforcement. For more information about access and visitation programs throughout Texas, visit the child support section of the Attorney General's website and select Access and Visitation Help.

Can any other agency handle child support enforcement cases?

In Texas, county-operated domestic relations or child support offices, private attorneys and private collections agencies also provide some child support enforcement services. Private agencies charge for their services. Parents who use the services of a private child support collection agency should fully understand any contract they sign.

For more information about the Child Support Division and the services it provides, visit the Attorney General's website at www.texasattorneygeneral.gov.

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